

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**PHILLIP CRECHALE, KENNETH JOHN CRECHALE,
AND MICHAEL CRECHALE, AS PERSONAL
REPRESENTATIVES AND WRONGFUL DEATH
BENEFICIARIES OF CAROLYN CRECHALE
DECEASED, AND ON BEHALF OF OTHER
WRONGFUL DEATH BENEFICIARIES**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:19-CV-617-HTW-LGI

**CARROLL FULMER LOGISTICS CORPORATION,
DAVID L. BROOKS, AND
JOHN AND JANE DOES 1-10**

DEFENDANTS

JUDGMENT ON JURY VERDICT

THIS CAUSE came on to be heard on May 9 - May 20, 2022, on the Complaint of Phillip Crechale, Kenneth Crechale, and Michael Crechale, heirs of Carolyn Crechale, deceased, against the Defendants David L. Brooks and Carroll Fulmer Logistics Corporation. Having been called for trial and all parties being present in open court and represented by counsel and having announced ready for trial upon issue joined, this matter proceeded to trial before a jury of nine (9) good and lawful citizens. All parties presented evidence and finally rested their case.

After hearing all of the evidence and arguments of counsel presented, this matter was presented to the jury upon instructions by the Court. The Jury thereupon retired, deliberated, and returned into open court a verdict in favor of Plaintiffs on their claim of negligence against David L. Brooks for failing to maintain a proper lookout, and against his employer Carroll Fulmer Logistics Corporation on the basis of respondeat superior, in the amount of \$13,748 for funeral expenses, \$19,208.98 for medical expenses, and \$200,000 for each of the three plaintiffs for loss

of love, society and companionship, with a finding of comparative fault on the part of Plaintiff of 60 % and of David L. Brooks of 40%. The verdict is thus reduced by 60 %, for a total of \$5,449.20 for funeral expenses, \$7,685.60 for medical expenses, and \$80,000 for each of the three Plaintiffs for loss of love, society, and companionship.

The Court, having received the verdict and determined that the verdict was unanimous, finds that plaintiffs have prevailed against the Defendants, and the Defendants have prevailed on their comparative negligence claim against the plaintiffs, and the apportionment of fault has been placed by the jury at 60/40, and judgment should be entered accordingly.

IT IS THEREFORE ORDERED AND ADJUDGED that Judgment is entered in favor of Plaintiffs and against Defendants David L. Brooks and Carroll Fulmer Logistics Corporation, in the amount \$5,449.20 for funeral expenses, \$7,685.60 for medical expenses, and \$80,000 to each of the three Plaintiffs for loss of love, society and companionship.

SO ORDERED AND ADJUDGED THIS 27th day of May, 2022.

s / HENRY T. WINGATE
UNITED STATES DISTRICT JUDGE